



Appointments and Briefings

February 12, 2007 - 7:10 P.M. – **Agenda (Revised)**

City Council Chamber, Room 214 – Municipal Building

View Minutes

* * *

1. CITIZENS INPUT TIME – Not to exceed the first thirty (30) minutes of the meeting.

1a. Michael Camara, President of ABC Disposal Services, Inc., 1245 Shawmut Avenue, New Bedford, MA, speaking on trash and recycling.

1b. Diane Bolton, 60 Orchard Street, New Bedford, MA, speaking on Casino's.

INVITEES: President of ABC Disposal Services, Inc., Michael Camara; Diane Bolton

2. Written Motion, Councillor Gomes, requesting that the Administration notify the City Council as to whether or not the City has lost any State or Federal funding due to the restructuring of the Department of Public Works to the various new departments that were established, i.e., the Departments of Public Infrastructure, Public Facilities, Engineering, Inspectional Services, Environmental Stewardship, etc., and further, that this information be provided to the City Council as soon as possible. (Ref'd 2/12/04, 7/28/04 tabled, Remain in Committee 3/14/06, tabled 9/12/06)

INVITEES: Acting Tax Collector/Treasurer, Normand G. Audette

3. Written Motion, Councillor Lawrence, requesting a meeting with a representative from either the Mayor's Office, the City Solicitor and/or the City Planner to discuss the progression of the development on the Route 18 project. (Ref'd 1/27/05, tabled 11/15/06)

INVITEES: City Planner, David Kennedy; Rep. Of the Mayor, Nelson Ostiguy; City Solicitor, Attorney Irene B. Schall

4. Written Motion, Councillor Alves, asking that the Committee on Appointments and Briefings meet with the City Planner David Kennedy as to the status of the ongoing plans for the modification and updating of Route 18, which serves as the primary connector for the North and South Ends of the City and to inform the Council what additional modification(s) the new Administration is seeking to add, as well as to update the Council as to when we can expect the RFP's to be issued for the beginning work and scheduled date for completion. (Ref'd 6/8/06, tabled 11/15/06)

INVITEES: City Planner, David Kennedy; Rep. Of the Mayor, Nelson Ostiguy; City Solicitor, Attorney Irene B. Schall

5. Related Motion, Councillor Lawrence, requesting that the Mayor or a representative from his Office meet with the Committee on Appointments & Briefings in relation to his comments that it is the intent of the City to find or construct a permanent police facility within the City's limits so that we may discuss "who, what, when and how." (Ref'd 1/27/05)

INVITEES: Police Chief, Ronald Teachman; Rep. Of the Mayor, Nelson Ostiguy

6. Written Motion, Councillor Pimental, requesting that the Administration meet with Corrine Williams from the Community Economic Development Center Group to discuss ways that the City can help her find space at a reduced cost. (Ref'd 6/23/05, tabled 10/17/06)

INVITEES: Corrine Williams from the Community Economic Development Center

7. Written Motion, Councillors Carney & Pimental, requesting that the Committee on Appointments & Briefings extend an invitation to The Community Economic Development Center of Southeastern Massachusetts, and its Executive Director Corinne Williams, to appear before the Committee to give a short presentation as to their Community work and goals as well as to better inform the Councillors about the intent, purpose and activities of their organization, the people they serve and the services they provide. (Ref'd 9/22/05, tabled 10/17/06)

INVITEES: Corrine Williams from the Community Economic Development Center

8. RELATED MOTION, Councillor Morad, requesting that the City Council Committee on Appointments and Briefings meet with the Commissioner of the Department of Public Facilities Lawrence Worden, the Commissioner of the Department of Public Infrastructure Ronald Labelle, and members of the City Administration and the Sheriff's Department to discuss how we would be able to bring City crews together to clean the City Streets of overgrowth and debris. (Ref'd 8/23/05)

INVITEES: DPF Commissioner, Lawrence D. Worden; DPI Commissioner Ron Labelle; Rep. Of the Mayor, Nelson Ostiguy; Bristol County Sheriff, Tom Hodgson

9. Written Motion, Councillor Gonsalves, requesting, on behalf of David Gould of 157 Grinnell Street, that the City Council Committee on Appointments & Briefings meet with Ronald Labelle, Commissioner of the Department of Public Infrastructure to discuss changing the water shut-off policy. (Ref'd 12/15/05, tabled 6/13/06)

INVITEES: DPI Commissioner, Ron Labelle; David Gould

10. Written Motion, Councillor Gonsalves, requesting, that the City Council request the Licensing Board to review club licenses in the City of New Bedford, in particular with issues relative to compliance to the regulation for a club license. (Ref'd 5/11/06, tabled 11/15/06)

INVITEES: Licensing Board, Chairman, Steven A. Beauregard

11. Written Motion, Councillor Alves, asking that the City Council request the Mayor, and ONCE AGAIN request the Park Department, to look into the possibility of developing and making available more soccer fields in the City of New Bedford, since the City could use no less than 4 additional soccer fields to accommodate the number of youth and adult teams that have sprung up in the area over the past two years, which is causing a real problem because of the limited number of fields currently available in the City, and will continue to be a major problem, in light of the increased number of recently formed teams from Guatemalan and other South American Communities currently residing in the City. (Ref'd 5/11/06)

INVITEES: Park Board Chairman, Thomas Viera; Recreation Supervisor, Chic Rose

12. Related motion, Councillor Morad, that we request that Scott Downing, Executive Secretary of the Traffic Commission, and Police Chief Teachman appear before the next Appointments & Briefings

meeting to bring us up to date as to why prescribed devices are required by the Traffic Commission for Handicapped Parking Spaces as a part of the regulations in the City of New Bedford. (Ref'd 7/20/06, tabled 9/12/06)

INVITEES: Traffic Commission, Executive Secretary, Scott Downing; Police Chief, Ronald Teachman

13. WRITTEN MOTION, Councillor Pimental, asking that the Chair of the Committee on Appointments and Briefings schedule a meeting with the people involved with overseeing the funds from the Shannon Grant, requesting them to come before said Committee to explain how the Grant will be administered; specifically, the names of the program(s) that are going to be funded, what is the amount of the funding allotted to the program(s), what types of program(s) are going to receive this funding and what will be the effect on, outcome of and advantage to our Community by the receipt of the Grant money to those program(s), so that the City Council is aware of how much, where, and how the Grant money will be distributed for its most beneficial use. (Ref 9/28/06, tabled 10/17/06, tabled 11/15/06)

INVITEES: Rep. of the Mayor, Nelson Ostiguy; Deputy Chief of Police, David Provencher; Shannon Grant Coordinator, Deirdre Lopes

WRITTEN MOTION, Councillor Gonsalves, requesting that the Committee on Appointments and Briefings, meet with Conservation Agent Porter, DPI Commissioner Labelle, Members of the Park Board, DPF Commissioner Worden, and DPF Superintendents Amaral and Blanchard, to discuss BUTTONWOOD PARK EROSION, and that Richard Leary, 609 Union Street also be invited to said meeting. (Ref'd 10/26/06)

INVITEES: DPI Commissioner, Ronald Labelle; Superintendent of Parks & Public Places, Kenneth Blanchard; Superintendent of Park Maintenance, Kevin Amaral; Conservation Agent, Sarah Porter; Richard Leary

14. Related Motion, Councillor Lawrence, asking that the members, including the Chairperson of, the Tree Committee, be invited to attend a Committee on Appointments and Briefings meeting to explain the Tree Committee and/or DPF-Forestry procedures on trimming and eliminating/cutting down dead trees in the City of New Bedford, so we can fully understand what they do and how they do it. (Ref'd 10/26/06)

INVITEES: Superintendent of Parks & Public Places, Kenneth Blanchard

15. COMMUNICATION, City Solicitor Schall, to City Council President Alves, responding to request to determine the legal basis for New Bedford Police to enforce against certain retailers who stock and sell "rolling papers" and "blunts" in their stores in New Bedford, citing MGL Ch. 94C, Section 32I. (Ref'd 11/9/06)

INVITEES: City Solicitor, Attorney Irene B. Schall

16. Written Motion, Councillor Pina, requesting that the Mayor and the City Council request that the work being done on the Corson Building be brought to a halt until local workers are hired for work on this project. (Ref'd 11/21/06)

INVITEES: Superintendent of the New Bedford Whaling National Historic Park, Celeste Bernardo; John "Buddy" Andrade; Eddie Johnson

17. RELATED MOTION, Councillor Morad, requesting that the Committee on Appointments & Briefings invite DPI Commissioner Ron Labelle and DPF Commissioner Larry Worden to a meeting to

discuss the painting of lines and crosswalks on the City Streets, and specifically at the schools throughout the City. (Ref'd 11/21/06)

INVITEES: DPI Commissioner, Ronald Labelle; DPF Commissioner, Lawrence D. Worden

18. WRITTEN MOTION/RECONSIDERATION, Councillor Saunders, having voted with the prevailing side on the question of COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW – 94 FRONT STREET (CULTIVATOR CLUB) a 1 story cinder block building, advising that the building, constructed in 1931, is a priority 3 Building, not a “mission essential” structure, not constructed during the park’s period of significance (1760-1920) and must meet conditions approved by the NBHC, per Chapter 40C of MGL; therefore, the NBHC has determined that, although the building IS in a National Register Historic District, it is “NOT an historically significant building or structure and not preferably preserved.” and that “A demolition permit may be granted if conditions of the Certificate of Appropriateness are met.” (Ref'd 11/9/06)

19a. COMMUNICATION/BUILDING DEMOLITION REVIEW: 94 Front Street. (Ref'd 11/9/06)

INVITEES: New Bedford Historical Commission, Chairperson, Joan M. Beaubian;

City Planner, David Kennedy; Cultivator Club Owner, Denis Keohane

20. WRITTEN MOTION, Councillor Gonsalves, Morad, Pimental and Gomes, requesting that the City Council invite the Members of the Board of Health to the next Committee on Appointments and Briefings meeting to discuss our concerns regarding the hiring process for the Director of Health, which has resulted in the hiring/firing and reinstatement of the current Director. (Ref'd 1/29/07)

INVITEES: Health Board, Chairperson, Barbara Silva; Health Board Members: Dr. Patricia Andrade; James Schweidenback, D.M.D

Chairman suggests “Following Recommended Action” on the following item:

21. WRITTEN MOTION, Councillor Gomes, requesting that the School Department take immediate action against the contractor who built the walls on the Frederick Street side of the Roosevelt Middle School, where the wall is deteriorating and the railing has separated, at the upper level of the parking lot on the south side of the school; and further, that the whole parking lot and walls of the construction of this building be inspected for any deterioration that should not be taking place in the short time since completion of this building, and, in this Councillor’s opinion, may be a safety issue in the future, or at this time, creating a possible liability for the City. (Ref'd 11/9/06) ***Refer to the School Department.***

Chairman suggests “No Further Action” be taken on the following items:

22. Written Motion, Councillors Gomes, and Pinheiro, that the Committee on Appointments and Briefings meet with representatives of Allegheny Rodney Metals to discuss several environmental problems that are affecting the neighborhood and have for years, and the Company’s failure to implement the necessary improvements to address numerous outstanding and long overdue quality of life issues such as noise and various safety issues; further, that this meeting be held at Hazelwood Park Warming House for the benefit of residents, and that the following people be invited: the City’s Health Director, the Massachusetts Commissioner of Public Health, our Environmental Planner, State Environmental Officials and State Representative Antonio Cabral. (Ref'd 5/24/01, 2/27/02 tabled, 4/11/05 remain on the table, 7/18/06 tabled) ***A Meeting was held concerning this issue, all above mentioned were in attendance, and reports were distributed.***

23. Written Motion, Councillor Pimental, on behalf of Raimundo Delgado, requesting that Ashley Park be renamed Tiago Reis Park. (Ref'd 9/11/03, tabled 7/18/06)

24. RELATED MOTION, Councillor Gomes, until a clarification and a meeting has been held with Attorney Latino and Solicitor Matt Thomas, and all of them come in, asking at this time that any further contract or anything on this land be halted until said meeting has been held and clarification has been given as to whether Redevelopment Authority has any jurisdiction there at the potential new site of the Home Depot. (Ref'd 8/23/05) ***No longer a proposed Home Depot site.***

25. Written Motion, Councillors Lawrence, Pimental & Morad, requesting to meet with WISP (Wireless Internet Solutions Provider) 60 Thoreau Street, Suite 164, Concord, MA 01742, to review their wireless cameras; and further, that the Mayor be invited to attend this meeting. (Ref'd 9/8/05, tabled 10/17/05, 11/14/05 PowerPoint presentation needed, remain in committee 10/17/06)

26. Written Motion, Councillor Pimental, on behalf of several constituents, requesting that the Committee on Appointments and Briefings meet with Louis Pettine, SRTA Bus Administrator, to discuss the possibility of developing new routes through the South End of the City, primarily to ensure that a stop at the location of Shaw's Supermarket/Brooks Pharmacy, on Cove Road, be placed on the main bus line. (Ref'd 10/27/05)

27. Written Motion, Councillor Pimental, requesting that the City Planner/Planning Department provide information as to whether SRTA can apply directly for Federal Transportation Bond Money as a lead agency for Commuter Rail, specifically does SRTA have the authority? (Ref'd 1/26/06, tabled 5/16/06)

28. Written Motion, Councillor Pimental, that the City Council contacts Congressman Frank's Office, as to the feasibility of carving out Federal Transportation Bond Money specifically for SRTA as a potential lead agency for Commuter Rail. (Ref'd 1/26/06, tabled 5/16/06)

29. Written Motion, Councillor Pimental, requesting SRTA for information as to whether SRTA has entered into any agreements that would preclude SRTA from applying for Federal Transportation Bond Money for Commuter Rail; and, if so, what is the nature of those agreements? (Ref'd 1/26/06, tabled 5/16/06)

30. Written Motion, Councillor Gomes, requesting once more, as this petitioner did in the 1990's, that the City of New Bedford take immediate action to POST throughout the City and in the City's Public Buildings and Schools, a Mission Statement addressing the issue of Hate Crimes and Discrimination and the Zero Tolerance that the City takes on these issues; further, that this document be signed by the entire City Council, the Mayor, District Attorney, School Committee, and Police Chief firmly showing that they are unified and committed in their support of Zero Tolerance against Hate Crimes or discrimination of any type in the City of New Bedford; and further, that the City Council, Administration, School and Police Departments follow the city's Ordinance relative to the "Bias Crimes", also instituted in the 1990's, and refer all incidents/occurrences/crimes relating to Discrimination, Bias or Hate Crimes to the Police Department, to be referred to the Executive Director of the Human Relations Commission, with the information stipulated in the Bias Crime Ordinance, Chapter 2, Article IX, Commission on Human Relations; Section 2-136. (Ref'd 2/9/06) ***Action was taken on this item at the last Formal Council meeting.***

30. COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW of 399 CEDAR GROVE STREET a Garage Structure, New Bedford Historical Commission, to City Council, regarding BUILDING DEMOLITION advising that "the structure is NOT located in a National Register Historic District, the structure is of no notable historic significance, either recorded or found with the existing condition of the structure" and that the building is NOT an historically significant building or structure and NOT preferable preserved. (Ref'd 11/9/06)

3 1a. WRITTEN MOTION, Councillor Gomes, requesting that the Committee on Appointments and Briefings be DISCHARGED FROM FURTHER CONSIDERATION OF THE MATTER referred to the said Committee at the November 09, 2006, City Council meeting, i.e., Item #18

“COMMUNICATION/DEMOLITION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW of 399 CEDAR GROVE STREET a Garage Structure, advising that “the structure is NOT located in a National Register Historic District, the structure is of no notable historic significance, either recorded or found with the existing condition of the structure” and that the building is NOT an historically significant building or structure and NOT preferably preserved.”; and further, that the City Council GRANT THE DEMOLITION of the garage structure that was deemed by the New Bedford Historical Commission to have “no notable historic significance.”(Ref’d 11/21/06)

Committee was discharged from this item; action was taken at the last formal City Council meeting.

31. WRITTEN MOTION, Councillor Lawrence, requesting that the Committee on Appointments and Briefings meet with a representative of the Administration and the residents of the Union Street Lofts for a discussion relating to the parking situation in Downtown New Bedford. (Ref’d 11/21/06)

32. Written Motion, Councillors DeMedeiros, and Gonsalves, requesting that the Committee on Appointment and Briefings meet with the Commissioner of Public Infrastructure and the City Solicitor to address our concerns over the institution of a policy requiring property owner to pay for sidewalk repairs. (Ref’d 11/9/04, 5/9/05 tabled, 6/13/05 tabled) ***Already resolved in Ordinance.***